

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 7TH JUNE 2007 / 17TH JYAISHTA 1929

Bail Appl..No. 3267 of 2007()

C.R.NO.61/07 OF CHENGANNUR EXCISE RANGE

: PETITIONER/ACCUSED

SREEKUMAR, S/O.SUKUMARAN, AGED 30
YEARS, NEDUMCHALIL, ENNAKKADU, CHENGANNUR.

BY ADV. SRI.S.SHANAVAS KHAN
SMT.S.INDU

RESPONDENTS: COMPLAINANT

THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 07/06/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

.....
B.A. No. 3267 OF 2007 C
.....

Dated this the 7th day of June, 2007

O R D E R

Petitioner seeks anticipatory bail on the allegation that the excise officials attached to the Chengannur Excise Range are at his heels in connection with C.R.No.61/07 of Chengannur Excise Range registered for an offence punishable under section 55(g) of the Abkari Act for allegedly having been found in possession of 1155 litres of wash on 23.4.2007.

2. Learned counsel for the petitioner submits that the petitioner is Sreekumar, S/o.Sukumaran, Nedumchalil whereas the accused in the case is Sreekumar, S/o.Sukumaran, Panavilayil.

3. Learned Public Prosecutor, on instructions, submits that both are the same person and that the petitioner is the accused in the above crime.

4. Anticipatory bail cannot be granted in a case involving such grave offence. It is too early to accept the petitioner's contention that the petitioner has been falsely implicated. There is no reason why the petitioner should not surrender before the

magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned within two weeks from today and files an application for regular bail, the same shall be considered and disposed of, preferably on the same day on which it is filed bearing in mind the decision in ***Sukumari Vs. State of Kerala*** [2001 (1) KLT 22].

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

aks